

REMARKS

This application is believed to be in condition for allowance at the time of the next Official Action.

The Official Action rejects claims 1-4, 8-11, 16, and 17 under 35 USC 102(e) as being anticipated by HIKMET et al. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The Official Action offers the HIKMET et al. reference for disclosing each of the elements recited in the rejected claims, specifically stating:

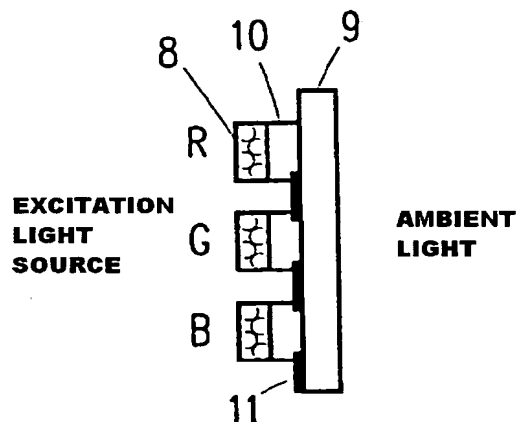
Hikmet discloses an optical element (Fig. 4a), having a fluorescence luminous element (8) operative to emit fluorescent light when excited by excitation light (1, 2) and an optical filter (10) comprising a cholesteric layer formed over the fluorescence luminous element (8) at a side of the fluorescence luminous element at which the excitation light enters the fluorescence luminous element....

Applicant notes that the identified Figure 4a includes no explicit identification of any light source at all, let alone one that can properly be characterized as an excitation light source. The HIKMET et al. reference states in column 4, beginning on line 31:

FIG. 4a shows a partial area of a flat colour display screen. Such a display screen comprises interleaved grating-shaped patterns of red (R), green (G), and blue (B) luminescing pixels 8 which are selectively irradiated with electrons by means of cathode arrangements (for example, of the field emitter type) not shown (cf. PCT/US 87/01747).

Cholesteric filter elements 10 adapted to each "colour" are arranged between the common transparent substrate 9 and the pixels 8. The light of the luminescent pixels 8 passes through the grating apertures of the "black matrix" 11 and thence through the substrate 9. The "black matrix" 11 is used for attenuating ambient light from the exterior incident on the substrate 9.

If there is an excitation light source in the HIKMET et al. device, it must be the electron generating cathode to which the patent refers. As "light of the luminescent pixels 8" is described as passing through the apertures of the black matrix 11, and such black matrix attenuates ambient light from the exterior, the source of excitation light, if any, must be to the left of the embodiment as it is illustrated in Figure 4a of HIKMET et al., as indicated below.



However, both the Official Action and the HIKMET et al. reference itself identify element 10 in Figure 4a, as well as element 5 in Figure 3 and element 14 in Figure 4b, as a cholesteric filter. Accordingly, the positional requirements of

such element as recited in each of the independent claims are entirely absent.

Specifically, claim 1 recites: "a cholesteric layer formed over said fluorescence luminous element at a side of said fluorescence luminous element at which said excitation light enters said fluorescence luminous element"; claim 8 recites: "a cholesteric layer formed over said fluorescence luminous element at a side of said fluorescence luminous element at which said excitation light enters said fluorescence luminous element"; claim 10 recites: "said optical filter comprises a cholesteric layer so as to transmit at least partly said excitation light and to reflect at least partly said fluorescent light; and is arranged so that said optical element admit said fluorescent light or both of said fluorescent light and at least part of said excitation light to come out thereof at a side of said fluorescent luminous element"; and claim 16 recites: "an optical filter disposed at a side of said fluorescence luminous element at which said excitation light enters said fluorescence luminous element ... said optical filter comprises a cholesteric layer".

It is evident that each of the embodiments of HIKMET et al. contemplates placement of the cholesteric layer not between the cathode ray source and the luminescent element, but instead on a viewing side of the luminescent element, which is opposite the cathode ray source.

Additionally, each of the independent claims recites a "fluorescence luminous element". An electronic word search of the applied HIKMET et al. reference produced no instances of "fluorescence" or any of its derivative forms. The references to the "luminescing pixels" and cathode generated electrons clearly indicates that the HIKMET et al. device is in no way fluorescent, but rather phosphorescent. Accordingly, the reference is entirely inapplicable to the present claims, which clearly recite a fluorescence luminous element.

Therefore, the HIKMET et al. reference fails to disclose either the fluorescent element or the position of the cholesteric element as recited in each of the rejected independent claims. For at least this reason, applicant respectfully suggests that the present anticipation rejection cannot stand.

The Official Action rejects claims 5 and 6 under 35 USC §103(a) as being unpatentable over HIKMET et al in view of FRAME. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The primary reference applied in the present rejection is the same as the sole reference applied in the anticipation rejection considered above. The comments above with regard to the shortcomings of the HIKMET et al. reference are equally applicable to the present obviousness rejection.

The secondary FRAME reference is offered merely for its asserted teaching or suggestion of a scheme of generating ultraviolet light from a cathodoluminescent layer. However, irrespective of the ability of such reference to teach or suggest that for which it is offered, it nevertheless fails to overcome the failure of the primary HIKMET et al. reference to teach or suggest that for which it is offered.

As a result, the combination of references fails to teach or suggest the invention as recited, and reconsideration of withdrawal of this rejection are therefore respectfully requested.

Consideration of the above analysis is earnestly solicited. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in black ink, appearing to read "Eric Jensen", is written over a horizontal line.

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